

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 10/25/2022

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ZURICH AMERICAN INSURANCE	:	
COMPANY,	:	
	:	
Plaintiff,	:	21-CV-8293 (VEC)
	:	
-against-	:	<u>ORDER</u>
	:	
HARLEYSVILLE INSURANCE COMPANY,	:	
	:	
Defendant.	:	
-----	:	
	X	

VALERIE CAPRONI, United States District Judge:

WHEREAS on October 19, 2022 (Dkt. 36), the parties notified the Court that they had reached an agreement in principle and requested to dismiss the case without prejudice;

WHEREAS on October 20, 2022, the Court entered an order dismissing the case with prejudice (Dkt. 37).

IT IS HEREBY ORDERED that the Clerk of Court is respectfully requested to reopen the case for the limited purpose of vacating the Order at docket entry 37 and entering this Order, and then to reclose the case.

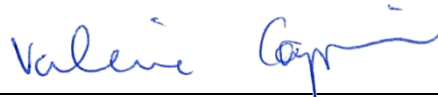
IT IS FURTHER ORDERED that this case is DISMISSED without prejudice and without costs (including attorneys' fees) to either party.

IT IS FURTHER ORDERED that the parties' request to extend the time to reopen the case until January 3, 2023, is DENIED. If the parties wish to apply to reopen the case, they must do so within **30 days** of this order. Any such application must show good cause for holding the case open in light of the parties' settlement and must be filed within **30 days**. Any request filed after 30 days or without a showing of good cause may be denied solely on that basis.

Additionally, if the parties wish for the Court to retain jurisdiction to enforce their settlement agreement, they must submit **within the same 30-day period**: (1) their settlement agreement to the Court in accordance with Rule 7.A of the Court's Individual Practices and (2) a request that the Court issue an order expressly retaining jurisdiction to enforce the settlement agreement. *See Hendrickson v. United States*, 791 F.3d 354 (2d Cir. 2015).

SO ORDERED.

Date: October 25, 2022
New York, NY



VALERIE CAPRONI
United States District Judge